

GOVERNMENT OF TELANGANA

ABSTRACT

Tribal Welfare Department – Telangana State – Khammam District – Issue of Agency Area Local Scheduled Tribe Certificates as per G.O.Ms.No.24., T.W (LTR.1) Department, dated 12.6.2018 – Rejection of Agency Area Local Scheduled Tribe Certificate by the Project Officer, ITDA Bhadrachalam and Chairman DLSC, vide Lr.Rc.No.A1/DD(TW)/824/2019, dated 16.12.2019 - Appeal filed by Sri Kasagani Raghavendra Rao, S/o. Rangaiah, Gopalapuram Colony, Kamepally (Post & Mandal), Khammam District - Appeal Allowed – Orders – Issued.

TRIBAL WELFARE (LTR) DEPARTMENT

G.O.Ms.No. 18

Dated: 25-06-2022,
Read the following:-

1. G.O.Ms.No.24, T.W (LTR.1) Department, dated 12.06.2018.
2. Letter Rc.No.A1/DD(TW)/824/2019, dated 16.12.2019 O/o. the Project Officer, ITDA, Bhadrachalam, addressed to the Collector & District Magistrate, Khammam District.
3. Appeal petition filed by Sri Kasagani Raghavendra Rao, S/o. Rangaiah, Gopalapuram Colony, Kamepally (Post & Mandal), Khammam District dated 24.03.2019& 21.10.2021
4. Govt. Memo No.259/TW.LTR/2021, dated 21.05.2021.
5. Govt. Memo No.259/TW.LTR/2021, dated 08.11.2021.
6. Govt. Notice.No.259/TW.LTR/2021, dated 08.11.2021.
7. From the Project Officer, ITDA, Bhadrachalam, Lr.Rc.No.A1/ DD(TW)/288/2021, dated 06.07.2021..
8. Written submission of the appellant, Dated 20.11.2021
9. From the Director (I/c), TCR&TI, Hyderabad, Lr.Rc.No.1888/2021/ TRI/TSV, dated 29.03.2022.

ORDER:-

In the reference 1st read above, Government have issued detailed guidelines for issue of Agency Area Local Scheduled Tribe Certificates to the local STs living in the Scheduled Areas and procedure to be adopted for cancellation of such certificates in case of fake/bogus claims.

2. In pursuance of the orders issued in the reference 1st read above, the Project Officer, ITDA, Bhadrachalam and Chairman DLSC has addressed a letter to the Collector & District Magistrate, Khammam district in the reference 2nd read above, wherein Agency Area Certificates were received for verification in connection with Junior Panchayat Secretaries towards genuinity of local STs. The District Level Scrutiny Committee has conducted verification and reported certain local ST candidates as not genuine and submitted report to the District Collector, Khammam in which the Agency Area Local ST certificate of Kesagani Raghavendra Rao S/o Rangaiah R/o Kamepally village and mandal issued by the Tahsildar, Kamepally (M) vide Rc.No.C/4858/2010, dated 8.11.2020 has been proposed for rejection as his father belongs to non-tribe.

3. Aggrieved by the above orders of the Project Officer, ITDA Bhadrachalam, and Chairman DLSC, in the reference 3rd read above, the appellant Kesagani Raghavendra Rao S/o Rangaiah R/o Kamepally village and Mandal, Khammam District represented that his father belongs to BC-Goud community (already married), married his mother Smt.Ajmeera Samini D/o Ravujya (inter-caste marriage) belongs to ST Lambada caste as 2nd wife, about 45 years back, but after marriage she lived with her parents in Gopalapuram thanda only under the care and guardianship of her father. They got two children i.e. the appellant and his brother. They were born and brought up in the Thanda following customs and traditions of ST Lambada community. On 19.8.1991, the MRO after causing discrete enquiries and following rules, issued him the ST Lambada community certificate. On 8.11.2010, he was also issued the Agency Area Local ST Certificate since living in

(Contd...2)

Gopalapuram, an agency village in Kamepalli Mandal of Khammam District. He has been selected for the post of Junior Panchayat Secretary and hence applied for issue of Agency Area Local ST Certificate afresh on 2.9.2019 in Tahsil Office, Kamepalli, but the same was not issued. During verification, he has produced proof of stay from 1950 but his case has been rejected on the plea of father not belonging Scheduled Tribe and produced Khasra Pahani from 1955-56 is of maternal grandfather.

4. In the reference 5th read above, Government have sent copies of the Appeal Petition to the Collector & District Magistrate, Khammam District and the Project Officer, ITDA, Bhadrachalam, with a request to furnish connected records along with Para wise remarks to Government.

5. In the reference 6th read above, a Notice has been sent to the Appellant to attend for hearing on 20.11.2021 at 2.00 PM before the Government to prove his claim along with documentary evidences.

6. In the reference 7th read above, the Project Officer, ITDA, Bhadrachalam has submitted the copies of connected records at the time of hearing on 21.11.2021 as follows:

- i) Lr.Rc.No.A1/DD(TW)/824/2019, dated 16.12.2019 addressed to the District Collector, Khammam communicated the list of 4 Accepted and 12 Rejected cases. Under List II (Rejected cases) – at Sl.No.10 against Kesagani Raghavendra Rao S/o Rangaiah – it was mentioned as "Kasra Pahani 1955-56 Sy.No.124 Ajmeera Ravugya (maternal grandfather), father Aadhar, mother Voter ID was submitted. His father belongs to non-tribe. The LST is not recommended".
- ii) Statements of Ajmeera Samya S/o Lalsingh, aged: 78 years and Lakavath Mothi W/o Jaitru, aged: 80 years recorded by Girdawar-I on 11.09.2019 – wherein they stated that they attended before him at the house of Kesagani Raghavendra Rao, they know Kesagani Raghavendra Rao, his father Rangaiah (BC-Gouda) married Samini daughter of Ajmeera Ravujya (2nd marriage) of Gopalapuram village. They got two sons namely Kesagani Raghavendra Rao and Kesagani Murahari. After 15 years, he went to his first wife. Now parents of Kesagani Raghavendra Rao (Rangaiah and Samini) expired."
- iii) Report of VRO and Mandal Girdawar, Kamepalli dated 11.09.2019.

Kesagani Rangaiah belongs to BC-Gouda community. He married daughter of Ajmeera Ravujya namely Samini (as 2nd wife) of Gopalapuram village. They got two sons namely Raghavendra Rao and Muraharibabu. After 15 years, Rangaiah went to his first wife. On enquiry, they came to know that parents of Raghavendra Rao expired. Applicant's mother belongs to ST Lambada community of Gopalapuram village. Her family tree was mentioned as under:

Mother side – Gopal has three children – Ganya, Sama and Lakshma. Lakshma has one son namely Ajmeera Ravujya (maternal grandfather of applicant). He has four children namely Samini (mother of applicant), Bhavsingh, Narayana, Papamma.

Father side – Veladri is father of Rangaiah. Kesagani Raghavendra Rao and Muraharibabu are his sons.

The applicant was issued Caste Certificate dated 26.02.2015 as ST Lambada and also Agency Area Certificate bearing Rc.No.C/4858/2010, dated 08.11.2010.

For issue of Agency Certificate, the applicant produced Khasra Pahani of Ajmeera Ravujya (Sy.No.124). Enquiry revealed that mother and her parents/grandparents have been continuously living in the village from 1950 and that father Kesagani Rangaiah and his ancestors living in the same Kamepalli village.

Pahani 1955, 56, 57 – Sy.No.124 shows name of Ajmeera Ravujya.

Copy of Notice issued by MRO Kamepalli to Samini D/o Ajmeera Ravujya regarding mutation of her name for the extent of acs.1.36 gts in Sy.No.111 – directed to attend on 12.10.89 at 11.00 AM/6.00 PM for examining her representation.

Community and Date of Birth Certificate dated 26.2.2015 issued by Tahsildar, Kamepalli – wherein it was certified that Kesagani Raghavendra Rao S/o Rangaiah of Kamepalli village belongs to Lambada-ST community and that his Date of Birth is 04.03.1982.

Community, Nativity and Date of Birth Certificate issued by Tahsildar, Kamepalli (bearing Certificate No.C/3858/09) – wherein it was certified that Kesagani Raghavendra Rao S/o Rangaiah belongs to ST Lambadi community.

Caste Certificate bearing D.Dis.No.C/1314/91, dated 19.3.91 – issued by Mandal Revenue Officer, Kamepalli – wherein it was certified that Kesagani Raghavendra Rao son of Kesagani Rangaiah, Kamepalli village belongs to Lambada (ST) community (son of inter-caste marriage).

Agency Area Certificate of Local ST candidate bearing Rc.No. C/4858/2010, dated 8.11.2010 – issued by Tahsildar, Kamepalli Mandal – wherein it was certified that Kesagani Raghavendra Rao S/o Rangaiah, aged: 28 years belong to ST (Lambada) Tribe and residing at Gopalapuram village (H/o Kamepalli), Kamepalli Mandal which is in the scheduled area.

Transfer Certificate bearing No.373454 issued by AP Residential Junior College (ST Boys), Kinnerasani Dam Site, Khammam Dist. 507 115 – wherein caste of Kesagani Raghavendra Rao was recorded as ST Lambada against Col.No.5.

7. The Appellant has attended the hearing on 20.11.2021 at 2.00 PM and submitted the written submission along with documents additionally:

- Provisionally selected for the post of Junior Panchayat Secretary vide Hall Ticket No.2128147 under Agency Area ST category.
- He was born to Kesagani Rangaiah and Ajmeera Samini (ST Lambada) (inter-caste marriage). His younger brother name is Muraharibabu who is aged 34 years now. Since the date of marriage, her mother was living with her parents in their village/habitation i.e. Gopalapuram till her death on 26.4.2013. As father was living with his first wife, neglected them and they were brought up by maternal grandfather, maternal aunts/uncles – thus they have been brought up in the fold of ST Lambada community as per their customs and traditions. They speak Lambada language and also married ST Banjara women and living in the same Gopalapuram thanda from childhood. Father was expired on 20.12.2017.
- Family Tree of maternal grandfather:

Azmeera Ravujya – maternal grandfather. He has four children i.e. (2) daughters and (2) sons namely – 1) Papa (daughter) 2) Narayana (son) 3) Samini (daughter and mother of appellant herein) and 4) Bhavsingh (son).

- 1) Papa (daughter) was married to Jarpula Chandriya and they got 3 sons and 2 daughters namely 1) Kishan (son) 2) Uday (son) 3) Padma (daughter) 4) Bujji (daughter) and 5) Linga (son).
- 2) Narayana (son) married Papa. They got (3) daughters and (3) sons namely 1) Vijaya (daughter) 2) Eswari (daughter) (3) Lakshman (son) 4) Seetarama Rao (son) 5) Sarita (daughter) and 6) Janaki Rama Rao (son). He died long back.
- 3) Samini (daughter and mother of appellant herein) married Kesagani Rangaiah (non-ST). They gave birth two sons namely 1) Raghavendra Rao (son and appellant herein) and 2) Muraharibabu (son – younger brother of appellant herein).
- 4) Bhavsingh (son) married Sowri. They got (3) male children namely 1) Lakshman 2) Mangilal and 3) Suresh. Bhavsingh died on 9.1.2009.

Out of (24) family members in the above Family Tree, 3 were died (14) family members have given written deposition stating that the appellant and his younger brother Muraharibabu were born to Azmeera Samini and Kesagani Rangaiah (BC-B Goud) and living in Gopalapuram thanda of Kamepally with the community and were brought up by the ST Banjara community and also married to ST Banjara women.

- Caste was recorded as ST Lambada in all school/college records. Following are the details of educational institutions where he studied.

I to V class ..	Mandal Parishad Primary School, Ramakrishnapuram, Kamepally.
VI to X class ..	AP Residential Junior College (STBoys), Kinnerasani Dam Site, Khammam District.
Intermediate ..	APSEB Government Junior College, Paloncha.
Intermediate ..	Pragathi Junior College, Khammam.
B.Sc. (MPC) ..	Kavitha Memorial Degree College, Khammam.

- Competent authorities after causing discrete enquiries and satisfying that he has been brought up by maternal grandfather, maternal aunts/uncles in their thanda as per ST Lambada customs, have issued the ST Lambada Caste Certificate in accordance with the guidelines issued by the Government in Circular Memo.No.10956/CV.I/97-2, dt.16.2.1998 wherein it has been directed that if the child has been accepted by the Scheduled Tribes as members of their community and has been brought in that surroundings. Accordingly, the ST Lambada Caste Certificates have been issued to him three times:

- i) D.Dis.No.C/1314/91, dt.19.9.1991 – issued by MRO Kamepalli.
- ii) No.C/3858/09 issued by Tahsildar, Kamepalli.
- iii) CGC021501926222, dt.26.2.2015 issued by Tahsildar, Kamepalle.

- Tahsildar, Kamepali after causing discrete enquiries and scrutiny of land documents of his maternal grandfather Sri Azmeera Ravujya i.e. Teen Saal Pahani for the years 1955, 56 and 57, issued Agency Area Local ST certificate on 8.1.2010 certifying that he belongs to ST Lambada community and that his ancestors have been continuously living in Gopalapuram village of Kamepalli Mandal which is an agency village as notified by the President of India.

- PESA Gram Sabha, Kamepalli in its meeting held on 26.06.2021, discussed Agency Area local ST status of his ancestors and confirmed that he belongs to the category of Agency Area Local ST candidature. The Gram Panchayat, Kamepalli also resolved and confirmed the said fact.
- There are settled case laws of the Hon'ble Apex Court and the Hon'ble High Court. In the case of Sabbella Siri Manjoosha Reddy vs. State of Andhra Pradesh represented by its Principal Secretary, Education Department, Hyderabad and 4 others, the Hon'ble High Court in WP No.24880 of 2016, dt.2.8.2016 viewed that "12. In so far as the case on hand is concerned, the petitioners mother has sworn to an affidavit in support of the writ petition claiming that after her marriage, she stayed only with her family in her village and that the children were brought by her, according to the customs and practices prevailing in the community. It is, perhaps, on the basis of such a claim that the Revenue Department chose to issue the community certificate to the petitioner".
- In support of his claim that he belongs to the ST Lambada community and also to the Agency Area Local ST candidature, submitted supporting documents and prayed to consider his Appeal declaring him as belonging to ST Lambada community and also Agency Area Local ST candidate, else he would suffer irreparable loss without any source of employment at this belated age of 40 years.

Documents produced

- i) Merit List – Sl.No.143 – HT No.2128147 (Reg.ID. 502451) Kesagani Raghavendra Rao S/o Rangaiah (DoB 04/03/1982) – Khammam – Paper I + Paper II = 77.50 – State Rank 23757.
- ii) Family Tree (mother side) – (as explained above).
- iii) Study Certificates of School, Intermediate & Degree.
- iv) Transfer Certificate No.373454 issued by Principal, AP Residential Jr. College (ST Boys), Kinnerasani Dam Site, Khammam dated 507115 – recorded caste as ST Lambada.
- v) Copy of circular Memo.No.10956/CV.I/97-2, dated 16.2.1998 – under "III. Children of Inter-Caste Marriages: The G.O.Ms.No.371, S.W.D. dt.13.04.1976 laid down the norms required to be followed while issuing community certificates to the children born to the inter-caste married couples. These instructions are reiterated with a modification that the off-spring of such couples cannot automatically claim the social status of the parent belonging to Scheduled Caste/Scheduled Tribe but the Competent Authority must satisfy himself that the child has been accepted by the Scheduled Castes/Scheduled Tribes as member of their community and has been brought up in that surroundings.
- vi) Caste certificate dated 19.9.1991 – issued by Mandal Revenue Officer, Kamepally – wherein it was certified that the individual belongs to Lambada (ST) community as recognized under The Constitution (Scheduled Tribes) Order, 1950. The Tahsildar, Kamepalli has also mentioned in the certificate as "(Son of inter-caste marriage couple)".
- vii) Community, Nativity and Date of Birth Certificate bearing No.C/3858/09 – issued by Tahsildar, Kamepalli (MdI.) – wherein it was certified that the individual belongs to ST Lambadi community – and specifically mentioned that it was issued as per The Constitution (Scheduled Tribes) Order, 1950 and also referred Circular Memo.No.10956/CV.I/97-2, dated 16.02.1998.

- viii) Community & Date of Birth Certificate – dated 26.02.2015 – issued by Tahsildar, Kamepalle – wherein it was certified that the individual belongs to Lambadis-SI.No.29 (ST) community which is recognized as Scheduled Tribe under The Constitution (Scheduled Tribes) Order, 1950, 1950, SCs STs List (Modification) Order, 1956 and STs (Amendment) Act 1976 as amended from time to time.
- ix) Gift deed dated 14.8.1977 – by Ajmeera Ravujya and Devuli (parents of appellant's mother) in favour of Ajmeera Samini D/o Ravujya – gifted the land admeasuring a/cs.1.36 gts situated in Sy.No.111 for her livelihood – witnessed by Ajmeera Bucha and Ganta Pentaiah – scribe – Govindam Narayana Swamy, GP Clerk, Kamepalli.
- x) Copy of No.9 - for the years 1955, 56, 57 – recorded name of Ajmeera Ravujya for 0.17 gts in Sy.No.124; for a/cs.2.26 gts in Sy.No.128.
- xi) Copy of No.9 - for the years 1955, 56, 57 – recorded name of Ajmeera Ravujya for a/cs.2.26 gts in Sy.No.128.
- xii) Land holding particulars – Sri Ajmeera Ravujya holding lands in Sy.No.124AA, 128AA, 129AA, 132AA, 136 – total extent a/cs.4.32 gts.
- xiii) Copy of Agency Area Certificate of Local ST Candidate – bearing Rc.No. /4858/200, dt.8.11.2010 – wherein it was certified that Kesagani Raghavendra Rao belongs to ST Lambada Tribe residing at Gopalapuram village of Kamepalli Mandal, which falls within the scheduled area. His ancestors/parents have been residing in Gopalapuram (v), Kamepalli Mandal.
- xiv) Statement of Ajmeera Vookya S/o Buchha, 56 years, caste: ST Lambada, occ: Agriculture R/o Ramakrishnapuram – before Sarpanch, GP Kamepalli, Kamepalli Mdl, Khammam Dist. – he stated that he knows parents of Kesagani Raghavendra Rao viz., Ajmeera Samini W/o Rangaiah. About 45 years back, Kesagani Rangaiah who belongs to BC-B (Gouda) community of the same village, already married and having children, married Ajmeera Samini D/o Ravujya of the same village as second wife – but Ajmeera Samini never went to the house of Kesagani Rangaiah and her welfare was looked after by her father Ajmeera Ravujya, he constructed a small hut for her in Gopalapuram of Kamepalli. The couple got two children viz., Kesagani Raghavendra Rao and Kesagani Muraharibabu. Kesagani Rangaiah was in habit of consuming alcohol and used to visit both his wives. He died when he was at his first wife Kesagani Savithri. Children of Ajmeera Samini living in the Thanda under the care and guardianship of their mother, maternal grandfather following all customs and traditions of Lambada community. Therefore, he gave his only daughter Ajmeera Kavitha in marriage to Kesagani Raghavendra Rao on 22.05.2011 and celebrated the marriage as per Lambada community customs. They got two children 1) Karthik Chandra Siddhartha (10 years) and 2) Yasaswini (5 years) – both the grandchildren speak Lambada language and living under customs of Lambada community.
- xv) Statement of Ajmeera Surya S/o Samya, 50 years, caste: ST Lambada, occ: Agriculture R/o Ramakrishnapuram – before Sarpanch, Gram Panchayat, Kamepalli, Kamepalli Mdl, Khammam Dist. – he stated that he knows parents of Kesagani Raghavendra Rao viz., Ajmeera Samini W/o Rangaiah. About 45 years back, Kesagani Rangaiah who belongs to BC-B (Gouda) community of the same village, already married and having children, married Ajmeera Samini D/o Ravujya of the same village as second wife – but Ajmeera Samini never went to the house of Kesagani Rangaiah and her welfare was looked after by her father

Ajmeera Ravujya, he constructed a small hut for her in Gopalapuram of Kamepalli. The couple got two children viz., Kesagani Raghavendra Rao and Kesagani Muraharibabu. Kesagani Rangaiah was in habit of consuming alcohol and used to visit both his wives. He died when he was at his first wife Kesagani Savithri. Children of Ajmeera Samini living in the Thanda under the care and guardianship of their mother, maternal grandfather following all customs and traditions of Lambada community. Therefore, he gave his only daughter Ajmeera Ramadevi in marriage to Muraharibabu on 14.06.2014 and celebrated the marriage as per Lambada community customs. They got two children 1) Ishan (6 years) and 2) Kushal (2 years) – both the grandchildren speak Lambada language and living under customs of Lambada community.

- xvi) Copy of PESA Gram Panchayat resolution dated 26.6.2021 – wherein it was resolved that Kesagani Ragahvendra Rao and his grandparents (mother's parents) have been continuously living from before 1950 in Patha Kamepalli Gram Panchayat (Ramakrishnapuram, Gopalapuram). Family Tree was also drawn.
- xvii) Kamepalli Gram Panchayat Resolution – wherein it was resolved that Azmeera Samini (mother of Kesagani Raghavendra Rao) and her parents have been continuously living from before 1950 in Patha Kamepalli GP (Ramakrishnapuram, Gopalapuram habitation). Family Tree was also drawn.
- xviii) Death Certificate Rc.No.GP/Kamepalli/11/2013, dated 30.05.2013 – issued by Panchayat Secretary, GP Kamepalli, Kamepalli Mdl, Khammam District – wherein it was certified that Kesagani Samini was expired on 26.4.2013 at Gopalapuram village.
- xix) Death Certificate Rc.No.GP/19/23/02/2018, dated 23.02.2018 – issued by Panchayat Secretary, Gram Panchayat Kamepalli, Kamepalli Mdl, Khammam District – wherein it was certified that Kesagani Rangaiah was expired on 20.12.2017.
- xx) Death Certificate L.Dis.No.297/2009, dated 24.01.2009 issued by Tahsildar, Kamepalli – wherein it was certified that Ajmeera Bhavsingh S/o Ravujya was expired on 9.1.2009 at Ramakrishnapuram H/o Kamepally.
- xxi) Copy of Judgement of Hon'ble High Court in WP No.24880 of 2016, dated 2.8.2016 – Sabbella Siri Manjoosha Reddy Petitioner) and State of AP rep by its Principal Secretary, Education Department, Secretariat, Hyderabad and four others (Respondents) – operative portion – as under:

"10. After elaborate discussion of all the earlier decisions including the one in Valasamma Paul Vs. Cochin University and others (1996 (3) SCC 545), Punit Rai Vs. Dinesh Chaudhary (2003 (8) SCC 204), and Anjan Kumar Vs. Union of India and others (2006 (3) SCC 257, the Supreme Court summarized the principles that could be culled out from all the decisions, in paragraph-43 of its judgment in Rameshbhai case. The said paragraph reads as follows:

In view of the analysis of the earlier decisions and the discussion made above, the legal position that seems to emerge is that in an inter-caste marriage or a marriage between a tribal and a non-tribal the determination of the caste of the offspring is essentially a question of fact to be decided on the basis of the facts adduced in each case. The determination of caste of a person born of an inter-caste marriage or a marriage between a tribal and non-tribal cannot be determined in complete disregard of attending facts of the case. In an inter-caste marriage or a marriage between a tribal and a non-tribal there may be a

presumption that the child has the caste of the father. This presumption may be stronger in the case where in the inter-caste marriage or a marriage between a tribal and a non-tribal the husband belongs to a forward caste. But by no means the presumption is conclusive or irrebuttable and it is open to the child of such marriage to lead evidence to show that he/she was brought up the mother who belonged to the scheduled caste/scheduled tribe. By virtue of being the son of a forward caste father he did not have any advantageous start in life but on the contrary suffered the deprivations, indignities, humilities and handicaps like any other member of the community to which his/her mother belonged. Additionally, that he was always treated a member of the community to which her mother belonged not only by that community but by people outside the community as well.

11. Therefore, it is clear that the Supreme Court did not say that a child born to a couple, who married transgressing the barriers of Caste, would take the community of his or her father and not that of his or her mother. **On the contrary, the Supreme Court categorically pointed out that the answer to the question would depend upon the circumstances in which the child was brought up and that the same was primarily one of facts.**

12. In so far as the case on hand is concerned, the petitioner's mother has sworn to an affidavit in support of the writ petition claiming that after her marriage, she stayed only with her family in her Village and that the children were brought up by her, according to the customs and practices prevailing in the community. It is, perhaps, on the basis of such a claim that the Revenue Department chose to issue the community certificate to the petitioner.

13. The nature of the enquiry to be made, as indicated in paragraph-43 of the decision of the Supreme Court in Rameshbhai case, is such that the same has to be carried out only by the Revenue Department, which is empowered to issue community certificates. To put it differently, it is that authority, which is vested with the power to issue community certificates, which is competent to conduct an enquiry that is indicated in paragraph-43 of the decision of the Supreme Court in Rameshbhai case. Once the authority competent to conduct a detailed enquiry, has come to the conclusion that the petitioner belongs to the Scheduled Castes and, consequently, issued a certificate to her, it is not open to any other authority, to question the validity of the same, except in accordance with law. Neither the 2nd respondent-University nor the Officials of the Social Welfare Department are entitled to disregard the community certificate issued by the Revenue Department and make the said certificate a dead letter. So long as the community certificate issued by the competent authority is not cancelled and so long as the community certificate has not been referred for re-verification to any Scrutiny Committee constituted, in accordance with the judgment of the Supreme Court in Kumari Madhuri Patel and another Vs. Additional Commissioner, Tribal Development and others, the 2nd respondent-University cannot ignore the community certificate.

14. Therefore, the Writ Petition is allowed, directing the 2nd respondent-University to treat the petitioner as belonging to the Scheduled Castes (Mala community), on the basis of the certificate that she holds, so long as the certificate is valid and in force."

8. In the reference 9th read above, the Director, TCR&TI who enquired into ST status of the individual on 20.11.2021, has submitted report as follows:

The individual in his written statement stated that he is an ordinary resident of Gopalapuram, Kamepally Mandal of Khammam District, presently residing there and claiming as belongs to ST (Lambadis) Community from the same place. The individual stated that he does not know his father's clan and other clans/gothrams of in his community. That Kesagani Rangaiah is the father of the individual expired at the age 70 years in 2017 & Ajmeera Samini is the mother of the individual expired at the age 55 years in 2013. That the individual's permanent resident is Kamepally and are residing there since their forefathers. The individual was born in the year 1982 at his residence Gopalapuram, Kamepally District & he is the 1st issue of their parents and other issue is Kesagani Murahari Babu (34).

Paternal Relationship of the Individual:

The individual does not know any details of his father's Grandfather i.e., native place, relatives etc. Kesagani Veladri is the Grandfather of the individual belonging to BC-B Goud community native of Kamepally (M), Khammam District and married Chandramma belongs to BC-B Goud community, native of Kamepally (M), Khammam District. Kesagani Satyam is the father's brother of the individual belonging to BC-B Goud Community and other details are not known by the individual. Late Kesagani Rangaiah is the father of the individual belonging to BC-B Goud community native of Kamepally (M), Khammam District and married Ajmeera Samini D/o Ajmeera Ravujya who is 2nd wife of his father, belongs to ST Lambadis community native of Ramakrishnapuram, Kamepally (M), Khammam District and out of their wedlock they got two children:

1. Kesagani Raghvendra Rao
2. Kesagani Murahari Babu

The individual Sri Kesagani Raghvendra belongs to ST - Lambadis community R/o Gopalapuram Colony, Kamepally, Khammam District married Ajmeera Kavitha D/o Ajmeera Vookya belongs to ST-lambadis community native of Ramakrishnapuram, Kamepally (M), Khammam District.

Sri Kesagani Murahari Babu is the younger brother of the individual belongs to ST-Lambadis community R/o Gopalapuram Colony, Kamepally, Khammam District and married Ajmeera Ramadevi D/o Ajmeera Surya belongs to ST-Lambadis community native of Ramakrishnapuram, Kamepally (M), Khammam District.

Maternal Relationship of the Individual:

Ajmeera Laxma is the Mother's Grandfather of the individual belongs to ST-Lambadis Community R/o Ramakrishnapuram, Kamepally (M), Khammam District and married Jarpula Dugi D/o Jarpula Nandya belongs to ST-Lambadis native of Jogugudem, Kamepally, Khammam.

Ajmeera Ravujya is the Mother's father of the individual belongs to ST-Lambadis Community R/o Ramakrishnapuram, Kamepally (M), Khammam District and married Amgoth Devili D/o Amgoth Bheema belongs to ST-Lambadis native of Ramakrishnapuram, Kamepally, Khammam.

Ajmeera Narayana is the Mother's 1st brother of the individual belongs to ST-Lambadis Community R/o Ramakrishnapuram, Kamepally (M), Khammam District and married Banoth Papa D/o Banoth Ramulu belongs to ST-Lambadis native of Korlakunta Thanda, Korivi Seerolu, Mahabubabad out of their wedlock they have (3) children i.e., Ajmeera Laxman, Ajmeera Seetharam Rao, Ajmeera Janaki Rama Rao.

Ajmeera Narayana is the Mother's 2nd brother of the individual belongs to ST-Lambadis Community R/o Ramakrishnapuram, Kamnepally (M), Khammam District and married Vankdooth Shouri D/o Vankdooth Mansing belongs to ST-Lambadis native of Boring Thanda, (MD) Dornakal, Mahabubabad and out of their marriage they have (3) children i.e., Ajmeera Laxman, Ajmeera Mangilal, Ajmeera Suresh.

Ajmeera Papa is the Mother's Sister of the individual belongs to ST-Lambadis Community R/o Jogugudem, Kamepally (M), Khammam District and married Jarpula Chandriya S/o Jarpula Manjya belongs to ST-Lambadis native of Jogugudem, Kamepally, Khammam District and out of their marriage they have (3) children i.e., Jarpula Kishan, Jarpula, Uday, Jarpula Linga.

The individual have relationship with the surnames of his relatives are Ajmeera, Jarpula, Vankudoth, Banoth, Amgoth, Bhukya. The traditional occupation of individual's father is toddy tapping, and his father's father's traditional and present occupation is toddy tapping. The individual stated that they are living in the present place since their forefathers and have documentary evidence of their permanent place of residence at 3-6, Gopalapuram, Kamepally. The individual stated that Marriage by Service, Marriage by Exchange and Levirate are vogue in their community and stated that their community has their own dialect but he could speak their dialect. The individual does not know details of the communities who are traditionally permitted and not permitted to dine with their Community. The individual stated that their community's traditional festivals are **Seethla, Seva Bhaya, Theej, Holi.**

The individual and his family members traditionally worship the Gods/Goddesses viz., Bhavsing Bava, Seva Bhaya, Pulu Bava, Meramayadi, Kurivi Veerabhadra Swamy and stated that they have no household/clan deity.

Educational Particulars:

The individual studied 1st to 5th class from 1986 to 1991 at P.S.Ramakrshnapuram, Kamepally, 6th to 10th from 1992 to 1997 at APRS (ST Boys) Kinnerasani Dam Site, Bhadravati Korthagudem, 11th to 12th from 1998 to 1999 at Pragathi Junior College, Khammam and Degree from 1999 to 2003 at Kavitha Memorial Degree College, Khammam. The individual don't know the educational particulars of his father, father's brothers and his mother is uneducated. Individual's brother-in-laws Ajmeera Janiki Rama Rao and Ajmeera Mangilal have studied B.Tech in Hyderabad and Ajmeera Suresh have studied BA from Ambedkar Open University. The individual's brother Kesagani Murahari Babu is working in Police Department as Constable in PS-Raghunadhapuram.

The Village Panchayat Secretary, Kamepalli stated that Kesagani Rangaiah S/o K.Veladri have 1st wife name Smt.Kesargani Savithri, out of their wedlock they got 3 children after that nearly 45 years back Kesagani Rangaiah S/o Veladri has married Ajmeera Samini D/o Ajmeera Ravujya as 2nd wife. Out of their wedlock they got 2 children i.e., Kesagani Raghavendarao and Kesagani Muraharibabu, but family members of the Kesagani Rangaiah S/o Veladri has not allowed into their house to Ajmeera Samini. Due to that Ajmeera Ravujya, father of Ajmeera Samini has constructed small hut at Gopalapuram Thanda and took care of his daughter's family. Kesagani Rangaiah S/o Veladri was addicted to alcohol and neglected both the families. Kesagani Rangaiah, Ajmeera Samini were brought up their children in the fold of their maternal grandfather and in Lambadis culture and traditions, due to that, children of Kesagani Rangaiah are following Lambadis culture and traditions hence, they got Caste Certificate dated 26.02.2015 as belonging to ST (Lambadis).

Further, the Village Secretary stated that in their enquiry she met with Gouda community elder named Bandi Srinivas, he stated that children of Kesagani Rangiah were not received any benefits from their paternal family and they never allowed to stay with them and to participate in Gouda community traditional events and not followed the Gouda culture. Children of Ajmeera Samini i.e. Kesargani Raghavendra rao and Kesagani Muraharibabu were married ST Lambadis girls in Lambadi tradition and culture. Kesagani Rangaiah H/o Ajmeera Samini has not even participated in funeral services of his wife Ajmeera Samini.

As per the statement of Lambadi community elder i.e. Bhukya Lalu S/o Deshya, the village Secretary has stated that the children of Ajmeera Samini Kesagani Raghavendra rao and Kesagani Muraharibabu were never met with their paternal parents they stated with their maternal grandparents and uncles and also stated that Ajmera Ravujya F/o Ajmeera Samini has gifted 2 acres of land to Ajmeera Samini in Ramakrishnapuram (copy enclosed).

As it has the complexity to make findings, it requires field enquiry at District level under the District Collectors, as the District Collector is the competent authority to confirm or reject the community.

Documentary evidences for ST claim:

- i) Caste Certificate dated 19.7.1991 – issued by Mandal Revenue Officer, Kamepalli certifying that the individual belongs to Lambada (ST) (son of inter-caste marriage).
- ii) Report of VRO Kamepalli I/c. and Girdawar dated 11.09.2019 – stating that Kesagani Rangaiah belongs to BC-Gouda community. He married daughter of Azmeera Ravujya namely Samini (as 2nd wife) of Gopalapuram village. They got two sons namely Raghavendra Rao and Muraharibabu. After 15 years, Rangaiah went to his first wife. On enquiry, they came to know that parents of Raghavendra Rao expired. Applicant's mother belongs to ST Lambada community of Gopalapuram village. Her family tree is as under:

Mother side – Gopal has three children – Ganya, Sama and Lakshma. Lakshma has one son namely Azmeera Ravujya (maternal grandfather of applicant). He has four children namely Samini (mother of applicant), Bhavsingh, Narayana, Papamma.

Father side – Veladri is father of Rangaiah. Kesagani Raghavendra Rao and Muraharibabu are his sons.

The individual was previously issued Caste Certificate dated 26.02.2015 as ST Lambada and also Agency Area Certificate Rc.No.4858/2010, dated 08.11.2010. The individual applied for Agency certificate producing Khasra Pahani of land in Sy.No.124 belonging to maternal grandfather Ajmeera Ravujya. Applicant's maternal ancestors have been living in the village from 1950. Father side relatives have also been living in the same Kamepalli village.

- i) Resolution by PESA Gram Sabha, Kamepalli in its meeting held on 26.6.2021 confirming Agency Area Local ST status of the individual.
- ii) Gram Panchayat, Kamepalli Resolution – confirming continuous living of ancestors of the applicant in Patha Kamepalli village (Gram Panchayat Ramakrishnapuram, Gopalapuram habitation) since 1950.
- iii) Written statements witnessed and confirmed by Sarpanch, Gram Panchayat Kamepalli and Panchayat Secretary, GP Kamepalli:
 - 1) Jarpula Papa D/o Ajmeera Ravujya, 66 years, ST Lambada is younger sister of Ajmeera Samini i.e. mother of appellant;

- 2) Jarpula Chandriya S/o Manjya, 66 years, ST Lambada, occ: Cooli is brother-in-law to Ajmeera Samini i.e. mother of appellant;
- 3) Jarpula Kishan S/o Chandriya, age: 50 years, ST Lambada, occ: Agriculture is son of Jarpula Papa i.e. sister of Ajmeera Samini (mother of appellant);
- 4) Jarpula Uday S/o Chandriya, age: 47 years, ST Lambada, occ: Agriculture is son of Jarpula Papa i.e. sister of Ajmeera Samini (mother of appellant);
- 5) Ajmeera Padma D/o Jarpula Chandriya, age: 47 years, ST Lambada, occ: Agriculture is daughter of Jarpula Papa i.e. sister of Ajmeera Samini (mother of appellant);
- 6) Jarpula Linga S/o Chandriya, age: 42 years, ST Lambada, occ: Agriculture is son of Jarpula Papa i.e. sister of Ajmeera Samini (mother of appellant);
- 7) Ajmeera Papa W/o Narayana, age: 60 years, ST Lambada, occ: Agriculture is sister-in-law (wife of brother of Ajmeera Samini, mother of appellant);
- 8) Ajmeera Lakshman S/o Narayana, age: 43 years, ST Lambada, occ: Agriculture is son of brother of Ajmeera Samini (mother of appellant);
- 9) Ajmeera Seetarama Rao S/o Narayana, age: 38 years, ST Lambada, occ: Agriculture is son of brother of Ajmeera Samini (mother of appellant);
- 10) Banoth Sarita D/o Narayana, age: 36 years, caste: ST Lambada is daughter of brother of Ajmeera Samini (mother of appellant);
- 11) Ajmeera Janakirama Rao S/o Narayana, aged: 32 years, Caste: ST Lambada is son of brother of Ajmeera Samini (mother of appellant);
- 12) Ajmeera Lakshman S/o Bhavsingh, age: 33 years, caste: ST Lambada, occ: Agriculture is son of brother of Ajmeera Samini (mother of appellant);
- 13) Ajmeera Mangilal S/o Bhavsingh, age: 29 years, caste: ST Lambada, occ: Agriculture is son of brother of Ajmeera Samini (mother of appellant); and
- 14) Ajmeera Suresh S/o Bhavsingh, age: 27 years, caste: ST Lambada, occ: Agriculture is son of brother of Ajmeera Samini (mother of appellant);

All the above family members of Ajmeera Samini i.e. mother of the appellant stated that about 45 years back, Kesagani Rangaiah (BC-B Gouda) who was already married and having children, married Ajmeera Samini D/o Ravujya as second wife. They got two children namely Kesagani Raghavendra Rao and Kesagani Muraharibabu. After the marriage, the BC-B Gouda did not allow Ajmeera Samini to live in the fold of BC-B Gouda community nor allowed to follow their customs/traits, so she and her two children lived in Gopalapuram thanda under the care and guardianship of her father Ajmeera Ravujya and his two sons in the fold of ST Lambada community only, her children following all the customs/traditions/traits of the Lambada community and accepted them in the ST Lambada community. Kesagani Rangaiah died at his first-wife house and Ajmeera Samini died in Gopalapuram thanda.

Statements of village elders

- i) Bandi Srinivas S/o Narsaiah, aged: 62 years, caste: Gouda (BC-B), occ: Agriculture – deposed before Sarpanch, Gram Panchayat Kamepalli, Panchayat Secretary, Gram Panchayat Kamepally. He stated that about 45 years back, father of Kesagani Raghavendra Rao namely Kesagani Rangaiah who belongs to Gouda community already married Kesagani Savithri and having three children, married Ajmeera Samini D/o Ravujya of Ramakrishnapuram, Kamepalli belongs to ST Lambada community as second wife. Ajmeera Samini never came to the house of Kesagani Rangaiah and lived at his house. Ajmeera Ravujya constructed a small hut in Gopalapuram and was looking after her. Ajmeera Samini and Rangaiah got two children namely Kesagani Raghavendra Rao and Kesagani Muraharibabu. As Kesagani Rangaiah was in habit of consuming alcohol used to visit both wives and never stayed permanently with anybody. He died when he was with his first wife Kesagani Savithri. Ajmeera Samini with her two sons Kesagani Raghavendra Rao and Muraharibabu lived with her father Ajmeera Ravujya and her brothers Ajmeera Narayana (late), Ajmeera Bhavsingh (late) and was under their guardianship but was never neither looked after nor provided any care/help by Kesagani Rangaiah. Sons of Ajmeera Samini viz., Kesagani Raghavendra Rao, Kesagani Murahareibabu never lived in their father's community, nor followed/participated in the said community –but lived following Lambada culture, customs and traditions and also married Lambada girls.
- ii) Kotagiri Ramulu S/o Parabrahmachary, aged: 60 years, caste: Kamsali (BC-B), occ: Business – deposed before Sarpanch, Gram Panchayat Kamepalli, Panchayat Secretary, Gram Panchayat Kamepally. He stated that about 45 years back, father of Kesagani Raghavendra Rao namely Kesagani Rangaiah who belongs to Gouda community already married Kesagani Savithri and having three children, married Ajmeera Samini D/o Ravujya of Ramakrishnapuram, Kamepalli belongs to ST Lambada community as second wife. Ajmeera Samini never came to the house of Kesagani Rangaiah and lived at his house. Ajmeera Ravujya constructed a small hut in Gopalapuram and was looking after her. Ajmeera Samini and Rangaiah got two children namely Kesagani Raghavendra Rao and Kesagani Muraharibabu. As Kesagani Rangaiah was in habit of consuming alcohol used to visit both wives and never stayed permanently with anybody. He died when he was with his first wife Kesagani Savithri. Ajmeera Samini with her two sons Kesagani Raghavendra Rao and Muraharibabu lived with her father Ajmeera Ravujya and her brothers Ajmeera Narayana (late), Ajmeera Bhavsingh (late) and was under their guardianship but was never neither looked after nor provided any care/help by Kesagani Rangaiah. Sons of Ajmeera Samini viz., Kesagani Raghavendra Rao, Kesagani Muraharibabu never lived in their father's community, nor followed/participated in the said community – but lived following Lambada culture, customs and traditions and also married Lambada girls.
- iii) Bhukya Lalu S/o Desya, aged: 65 years, caste: ST Lambada, occ: agriculture - deposed before Sarpanch, Gram Panchayat Kamepalli, Panchayat Secretary, GP Kamepally. He stated that about 45 years back, father of Kesagani Raghavendra Rao namely Kesagani Rangaiah who belongs to Gouda community already married Kesagani Savithri and having three children, married Ajmeera Samini D/o Ravujya of Ramakrishnapuram, Kamepalli belongs to ST Lambada community as second wife. Ajmeera Samini never came to the house of Kesagani Rangaiah and lived at his house. Ajmeera Ravujya constructed a small hut in Gopalapuram and was looking after her. Ajmeera Samini and Rangaiah got two children namely Kesagani Raghavendra Rao and Kesagani Muraharibabu. As Kesagani Rangaiah was in habit of consuming alcohol used to visit both wives and never stayed permanently with anybody. He died when he was with his first

wife Kesagani Savithri. Ajmeera Samini with her two sons Kesagani Raghavendra Rao and Muraharibabu lived with her father Ajmeera Ravujya and her brothers Ajmeera Narayana (late), Ajmeera Bhavsingh (late) and was under their guardianship but was never looked after nor provided any care/help by Kesagani Rangaiah. Sons of Ajmeera Samini viz., Kesagani Raghavendra Rao, Kesagani Muraharibabu never lived in their father's community, nor followed/participated in the said community – but lived following Lambada culture, customs and traditions and also married Lambada girls.

iv) Veggalam Govindamma W/o Omkarachary, aged: 65 years, occ: BC-B (Vadrangi), occ: Cooli – deposed before Sarpanch, Gram Panchayat Kamepalli, Panchayat Secretary, Gram Panchayat Kamepally. She stated that about 45 years back, father of Kesagani Raghavendra Rao namely Kesagani Rangaiah who belongs to Gouda community already married Kesagani Savithri and having three children, married Ajmeera Samini D/o Ravujya of Ramakrishnapuram, Kamepalli belongs to ST Lambada community as second wife. Ajmeera Samini never came to the house of Kesagani Rangaiah and lived at his house. Ajmeera Ravujya constructed a small hut in Gopalapuram and was looking after her. Ajmeera Samini and Rangaiah got two children namely Kesagani Raghavendra Rao and Kesagani Muraharibabu. As Kesagani Rangaiah was in habit of consuming alcohol used to visit both wives and never stayed permanently with anybody. He died when he was with his first wife Kesagani Savithri. Ajmeera Samini with her two sons Kesagani Raghavendra Rao and Muraharibabu lived with her father Ajmeera Ravujya and her brothers Ajmeera Narayana (late), Ajmeera Bhavsingh (late) and was under their guardianship but was never neither looked after nor provided any care/help by Kesagani Rangaiah. Sons of Ajmeera Samini viz., Kesagani Raghavendra Rao, Kesagani Muraharibabu never lived in their father's community, nor followed/participated in the said community – but lived following Lambada culture, customs and traditions and also married Lambada girls.

v) Report dated 18.12.2021 of Panchayat Secretary, Gram Panchayat Kamepalli – He reported that when enquired with the village elders in Gopalapuram thanda of Kamepalli village namely Bandi Srinivas, Kotagiri Ramulu, Bhukya Lalu and Veggalam Govindamma, he came to know that about 45 years, Kesagani Rangaiah S/o Veladri who was already married Kesagani Savithri and having three children, married Ajmeera Samini D/o Ravujya of Ramakrishnapuram village as second wife. Family members of Rangaiah never allowed Samini to join their family. Kesagani Raghavendarao and Kesagani Muraharibabu born to Ajmeera Samini and Rangaiah. As Gouda community people not allowed these children, Ajmeera Ravujya (father of Samini) taken care of them. Kesagani Rangaiah was in habit of consuming alcohol and used to visit both the wives but never lived permanently with any of them. Therefore, father of Samini i.e. Ajmeera Ravujya constructed a small hut in Gopalapuram thanda and looked after his daughter Samini and her children. Thus, both Samini and her two children lived under the care and guardianship of Ajmeera Ravujya and his sons in the caste, traditions, culture and customs of Lambada. As they have been following ST Lambada customs and traditions, previously issued with Caste Certificate as ST Lambada on 26.02.1954 and also Agency Area Certificate Rc.No.4858/2010, dated 08.11.2010. Enquiries with Bandi Srinivas revealed that children of Rangaiah and Samini i.e. Kesagani Raghavendra Rao and Kesagani Muraharibabu never lived in the customs/traditions of Gouda community nor availed any help/benefit from his father Kesagani Rangaiah and that both married girls belonging to ST Lambada as per traditions and customs of ST Lambada community. Further when Ajmeera Samini died, Kesagani Rangaiah did not attend to see her. When enquired with ST Lambada caste elder namely Bhukya Lalui S/o Desya, Kesagani Raghavendra Rao and Kesagani Muraharibabu lived under the care and guardianship of their

grandfather Ajmeera Ravujya and brothers of their mother namely Ajmeera Naryana (late), Ajmeera Bhavsingh (late). As they did not get any asset from their father, their maternal grandfather Ajmeera Ravujya gifted their mother Samini 2 acres of land in Ramakrishnapuram. Therefore, this detailed report is submitted.

9. Government after careful examination of the evidences available on record and the documents produced by the Appellant before the Government, it is verified, found and observed that according to G.O.Ms.No.57, G.A (Spl.A) Department dated 1.3.2014, the Project Officer of ITDA is Chairman of the District Level Scrutiny Committee (DLSC) constituted under Act 16 of 1993 for enquiring into the ST status of candidates living in scheduled areas who obtained ST caste certificates fraudulently. The Project Officer, ITDA also acts as Chairman of the Scrutiny constituted under GO.Ms.No.24, TW (LTR.1) Department, dated 12.6.2018 to enquire into genuineness of the Agency Area Local ST status of the Scheduled Tribe candidates living in Agency Area. In the present case, the Project Officer, ITDA, Bhadrachalam has rejected claim of the individual under both the statutes i.e. not belonging to ST community as his father is a non-tribe and that he produced Kasra Pahani 1955-56 of maternal grandfather viz., Azmeera Ravujya. The findings/recommendations have been communicated to the Dist. Collector, Khammam in Lr.Rc.No.A1/DD(TW)/824/2019, dated 16.12.2019 but no orders have been passed by the Dist. Collector, Khammam either confirming or cancelling the ST caste certificate following due procedure under Act 16/1993 and also the Agency Area Local ST certificate. The individual has been provisionally selected as Junior Panchayat Secretary in the PRREDRT 2018 and apprehending further delay, has approached the Government for redressal of his grievance as more than 3 years time has been elapsed for getting his appointment. The Government being the competent authority under Act 16 of 1993 and also under GO Ms.No.24, dt.12.6.2018, admitted his representation as an Appeal, examined it in detail in accordance with the rules/guidelines, evidences available both on record/produced by the Appeal, settled legal positions of the Hon'ble Apex Court and the Hon'ble High Court etc. and arrived at the following findings:

With regard to ST status of the Appellant

It is found true that Kesagani Rangaiah (father of appellant) who belongs to BC-B Gouda of the same Kamepalli village, already married having children, married Ajmeera Samini D/o Ravujya of Ramakrishnapuram H/o Kamepalli belongs to ST Lambada community as second wife. They got two children i.e. 1) Kesagani Raghavendra Rao (appellant herein) and 2) Kesagani Muraharibabu. Ajmeera Samini was not allowed by the BC-B Gouda community and therefore, she continued living in her Gopalapuram Thanda in her Lambada caste fold with her father Ajmeera Ravujya where he constructed a small hut and also gifted acs.1.36 gts in Sy.No.111 for her livelihood vide agreement dt.14.8.1977. Ajmeera Samini and her two children were looked after by her father and brothers. Both the children speak Lambada language. Kesagani Rangaiah who was addicted to alcohol neglected her and did not attend to conduct even last rites when Ajmeera Samini was expired on 26.4.2013 in Gopalapuram Thanda. Kesagani Rangaiah died on 20.12.2017 in the house of his first wife. Thus, Ajmeera Samini and her two children have been brought up in the fold of ST Lambada community in Lambada thanda i.e. Gopalapuram thanda of Kamepalli village and the ST Lambada community also accepted them. The authority competent to issue Caste Certificate i.e. Mandal Revenue Officer, Kamepalli/Tahsildar, Kamepalli had enquired into the caste status of the appellant in accordance with the guidelines prescribed for issue of ST Caste Certificates to the siblings of inter-caste marriage and accordingly issued ST Lambada Caste Certificates to the Appellant which is evident from the entries made in the certificates i.e. "son of inter-caste marriage" and also quoted circular Memo.No.10956/CV.I/97-2, dt.16.2.1998. Thus, his caste has been entered in all the school/college records as ST Lambada. He completed his school study in Tribal Welfare Residential Junior College (ST Boys) at Kinnerasani Dam Site.

(Contd...16)

In view of the brought-up and acceptance by the ST Lambada community, one Ajmeera Vookya of the same Ramakrishnapuram village gave his only daughter Ajmeera Kavitha in marriage to the appellant on 22.05.2011 and they got two children who also speak Lambada language. Similarly, Ajmera Surya of the same village gave his only daughter Ajmeera Ramadevi in marriage on 14.6.2014 to Muraharibabu i.e. younger brother of Appellant and he got two children who also speak Lambada language.

All the evidences amply prove about brought-up of the appellant and his younger brother by the ST Lambada community in Gopalapuram Thanda where they have been living since their birth and the ST Lambada community also accepted them. Therefore, the claim of the appellant as belonging to ST Lambada is true in the light of rules/guidelines, settled legal positions of the Hon'ble Supreme Court and the Hon'ble High Court, as stated above, and accordingly the ST Lambada Caste Certificates issued to them by the competent authority i.e. Mandal Revenue Officer/Tahsildar, Kamepalli after causing field enquiries and in accordance with the guidelines issued in Govt.Memo.No.10956/CV.I/97-2, dt.16.2.1998 in respect of siblings of inter-caste marriage people, are valid.

With regard to Agency Area Local ST status

Sri Ajmeera Ravujya, maternal grandfather of the appellant and who looked after them, have been continuously living in Kamepalli, an agency village in Kamepalli Mandal of Khammam District from his fore-fathers from before 1950. He has agriculture lands as per Khasra pahani in Survey Nos.124, 128, 129, 132 and 136 in Kamepalli village from 1955 onwards. The PESA Gram Sabha and the Gram Panchayat, Kamepalli also confirmed the fact of their continuous residence in the agency village from before 1950.

10. Therefore, the Appeal of Sri Kasagani Raghavendra Rao, S/o. Rangaiah, Gopalapuram Colony, Kamepally (Post & Mandal), Khammam District is hereby allowed declaring him as belonging to ST Lambada community and also local ST of Kamepally agency village in Khammam District.

11 The Collector & District Magistrate, Khammam District and Dist. Panchayat Officer, Khammam shall take further necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

Dr. CHRISTINA Z.CHONGTHU
SECRETARY TO GOVERNMENT

To

The Collector and District Magistrate, Khammam District (By RPAD)

The Project Officer, ITDA, Bhadrachalam,

Bhadradri Kothagudem District (By RPAD)

Sri Kasagani Raghavendra Rao, S/o. Rangaiah, Gopalapuram Colony, Kamepally (Post & Mandal), Khammam District (By RPAD)

Copy to:-

The Secretary, Telangana State Public Service Commission,

Hyderabad (for information & necessary action)

The District Panchayat Officer, Khammam District.

(for information & necessary action)

The Deputy Director (TW), O/o. PO, ITDA Bhadrachalam,
Bhadradri Kothagudem District.

The PS to Hon'ble Minister for ST Welfare.

The PS to Secretary (TW).

The PA to Special Secretary (TW)

SF/SC.

//FORWARDED:BY ORDER//

SECTION OFFICER